

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Present Application :**

Applicants : Christoph Reinhard et al.  
Title : AKT3 INHIBITORS  
Docket No. : 59516-47/PP-01699  
Date : March 29, 2004

**Prior Application :**

Examiner : Karen A. Lacourciere  
Art Unit : 1635  
Application No. : 09/851,670

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

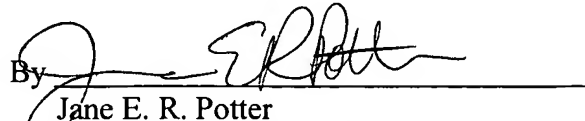
Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO/SB/08. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior Application No. 09/851,670, filed May 8, 2001. The references listed on the attached form PTO/SB/08 were submitted to and/or cited by the Patent and Trademark Office in this prior application and, therefore, are not required to be provided in this application. If the Examiner wishes, copies will be provided upon request. As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

No fee is due at this time in accordance with 37.C.F.R. § 1.97(b).

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Respectfully submitted,  
Christoph Reinhard et al.  
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Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	
				Filing Date	March 29, 2004
				First Named Inventor	Christoph Reinhard
				Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	59516-47/PP-01699

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,187,586	02-13-2001		
		US-5,958,773	09-28-1999		
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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Sheet	2	of	3
		Attorney Docket Number	59516-47/PP-01699

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		AGRAWAL ET AL., <i>Antisense Therapeutics: Is it as Simple as Complementary Base Recognition</i> , MOLECULAR MEDICINE TODAY, 6:72-81, 2000.	
		GREEN ET AL., <i>Antisense Oligonucleotides: An Evolving Technology for the Modulation of Gene Expression in Human Disease</i> , J. AM. COLL. SURG., 191(1):93-105, 2000.	
		JEN ET AL., <i>Suppression of Gene Expression by Targeted Disruption of Messenger RNA: Available Options and Current Strategies</i> , STEM CELLS, 18:307-319, 2000.	
		MA ET AL., <i>Synthetic Oligonucleotides as Therapeutics: The Coming of Age</i> , BIOTECHNOLOGY ANNUAL REVIEW, 5:155-196, 2000.	
		BRODBECK ET AL., <i>A Human Protein Kinase By with Regulatory Phosphorylation Sites in the Activation Loop and in the C-Terminal Hydrophobic Domain</i> , THE JOURNAL OF BIOLOGICAL CHEMISTRY, 274(14):9133-9136, 1999.	
		FLANAGAN ET AL., <i>Cellular Penetration and Antisense Activity by a Phenoxazin-Substituted Heptanucleotide</i> , NATURE BIOTECHNOLOGY, 17(1):48-52, 1999.	
		MASURE ET AL., <i>Molecular Cloning, Expression and Characterization of the Human Serine/Threonine Kinase Akt-3</i> , EUR. J. BIOCHEM., 265:353-360, 1999.	
		NAKATANI ET AL., <i>Identification of Human Akt3 (Protein Kinase B <math>\gamma</math>) Which Contains the Regulatory Serine Phosphorylation Site</i> , BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, 257:906-910, 1999.	
		NAKATANI ET AL., <i>Up-Regulation of Akt3 in Estrogen Receptor-Deficient Breast Cancers and Androgen-Independent Prostate Cancer Lines</i> , J. BIOL. CHEM., 274(31):21528-21532, 1999.	
		ALESSI ET AL., <i>Mechanism of Activation and Function of Protein Kinase B</i> , CURRENT OPINION IN GENETICS & DEVELOPMENT, 8(1):55-62, 1998.	

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		BRANCH ET AL., <i>A Good Antisense Molecule is Hard to Find</i> , TIBS 23, 45-50, 1998.	
		DOWNWARD, <i>Mechanisms and Consequences of Activation of Protein Kinase B/Akt</i> , CURRENT OPINION IN CELL BIOLOGY, 10(2):262-267, 1998.	
		BENNETT ET AL., <i>Pharmacology of Antisense Therapeutic Agents</i> , CHAPTER 2, METHODS IN MOLECULAR MEDICINE: ANTISENSE THERAPEUTICS, ISBN: 0 89603-305-8, 13-46, 1996.	
		CHENG ET AL., <i>Amplification of AKT2 in Human Pancreatic Cells and Inhibition of AKT2 Expression and Tumorigenicity by Antisense RNA</i> , P.N.A.S. U.S.A 93:3636-3641, 1996.	
		BELLACOSA ET AL., <i>Molecular Alterations of the AKT2 Oncogene in Ovarian and Breast Carcinomas</i> , INTERNATIONAL J. CANCER 64(4):280-285, 1995.	
		BOS, <i>A Target for Phosphoinositide 3-kinase: Akt/PKB</i> , TRENDS BIOCHEM. SCI. 20:441-442, 1995.	
		KONISHI ET AL., <i>Molecular Cloning and Characterization of a New Member of the RAC Protein Kinase Family: Association of the Pleckstrin Homology Domain of Three Types of RAC Protein Kinase with Protein C Subspecies and B γ Subunits of G Proteins</i> , BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, 216(2):526-534, 1995.	
		CHENG ET AL., <i>AKT2, a Putative Oncogene Encoding a Member of a Subfamily of Protein-Serine/Threonine Kinases, is Amplified in Human Ovarian Carcinomas</i> , P.N.A.S. U.S.A 89:9267-9271, October 1992.	
		STAAL, <i>Molecular Cloning of the Akt Oncogene and its Human Homologues AKT1 and AKT2: Amplification of AKT1 in a Primary Human Gastric Adenocarcinoma</i> , P.N.A.S. U.S.A. 84(14):5034-5037, July 1987.	

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